

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MAR'JON GUYTON,

Defendant.

NO. CR22-030 RSM

DISCOVERY PROTECTIVE
ORDER

This matter, having come to the Court's attention on the Stipulation for Entry of a Discovery Protective Order submitted by the United States of America and Defendant Mar'Jon Guyton, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. Protected Material

The following documents and materials are deemed Protected Material. The United States will make available copies of the Protected Materials to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Materials is limited to the attorneys of record, and investigators, paralegals, law clerks, experts, and assistants for the attorneys of record (hereinafter collectively referred to as members of the defense team). This category of Protected Materials will be marked and labeled as "Protected Material":

1 a. reports, recorded interviews, photographs of the victims of Seattle
2 Police Department incident #2022-026511.

3 2. Scope of Review of Protected Material

4 Defense attorneys of record and members of the defense team may display and
5 review the Protected Material with the Defendant. The attorneys of record and members
6 of the defense team acknowledge that providing copies of the Protected Material to the
7 Defendant and other persons is prohibited, and agree not to duplicate or provide copies of
8 Protected Material to the Defendant and other persons.

9 A digital copy of the protected material may be provided to Mr. Guyton for him to
10 review at the FDC. The digital copy will be in the custody of his unit manager. Mr.
11 Guyton may review the digital version of the protected at the FDC at the FDC law library
12 or computer lab, but must return the digital copy to his unit manager when he is finished
13 viewing the material.

14 3. Consent to Terms of Protective Order

15 Members of the defense team shall provide written consent and acknowledgement
16 that they will each be bound by the terms and conditions of this Protective Order. The
17 written consent need not be disclosed or produced to the United States unless requested
18 by the Assistant United States Attorney and ordered by the Court.

19 4. Parties' Reciprocal Discovery Obligations

20 Nothing in this order should be construed as imposing any discovery obligations
21 on the government or the defendant that are different from those imposed by case law and
22 Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

23 5. Filing of Protected Material

24 Any Protected Material that is filed with the Court in connection with pre-trial
25 motions, trial, sentencing, or other matter before this Court, shall be filed under seal and
26 shall remain sealed until otherwise ordered by this Court. This does not entitle either
27 party to seal their filings as a matter of course. The parties are required to comply in all
28

1 respects to the relevant local and federal rules of criminal procedure pertaining to the
2 sealing of court documents.

3 6. Non-termination

4 The provisions of this Order shall not terminate at the conclusion of this
5 prosecution.

6 7. Violation of Protective Order

7 Any violation of any term or condition of this Order by the Defendant, his
8 attorney(s) of record, any member of the defense team, or any attorney for the
9 United States Attorney's Office for the Western District of Washington, may be held in
10 contempt of court, and/or may be subject to monetary or other sanctions as deemed
11 appropriate by this Court.

12 If the Defendant violates any term or condition of this Order, the United States
13 reserves its right to seek a sentencing enhancement for obstruction of justice, or to file
14 any criminal charges relating to the Defendant's violation.

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16 DATED this 28th day of July, 2022.

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19 RICARDO S. MARTINEZ
20 CHIEF UNITED STATES DISTRICT JUDGE

21 Presented by:

22 /s/ Cecelia Gregson

23 CECELIA GREGSON

24 Assistant United States Attorney

25 /s/ Jesse Cantor

26 JESSE CANTOR

27 Assistant Federal Public Defender

28 *Per email authorization*